

REMARKS

Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1-10 and 14-25 were pending in the application, of which Claims 1, 20, and 21 are independent. In the Office Action dated June 11, 2008, Claims 1-10 and 14-25 were rejected under 35 U.S.C. § 103(a). Following this response, Claims 1-7, 9-10, and 14-25 remain in this application with Claim 8 being canceled without prejudice or disclaimer. Applicants hereby address the Examiner's rejections in turn.

I. Interview Summary

Applicant thanks Examiner Spooner for the courtesy of a telephone interview on September 17, 2008, requested by the undersigned to discuss the rejection of the current claims under 35 U.S.C. § 103. During the interview, Applicant asserted that the cited references do not render obvious the claims as amended. The Examiner stated that the amendment appeared to overcome the references, but that further consideration would be required. No agreement was reached regarding patentability.

II. Objection to Claim 21

In the Office Action dated June 11, 2008, the Examiner objected to Claim 21 as containing various informalities. Claim 21 has been amended, and Applicant respectfully submits that this amendment overcomes this objection and adds no new matter.

III. Rejection of the Claims Under 35 U.S.C. § 103(a)

In the Office Action dated June 11, 2008, the Examiner rejected Claims 1-3, 5, 8-12, 15-17, 19, 21, 22, 24, and 25 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,956,681 ("*Yamakita*") in view of U.S. Patent No. 6,868,525 ("*Szabo*") in further view of U.S. Patent No. 7,082,681 ("*Butler*") and U.S. Patent No. 6,950,831 ("*Haley*"). Independent Claim 20 was rejected as being unpatentable over *Yamakita* in view of *Haley*. Dependent Claims 14, 18, and 23 were rejected as being unpatentable over *Yamakita*, *Szabo*, and *Butler* in view of *Haley* and further in view of U.S. Patent No. 6,434,567 ("*De La Huerca*"). Independent Claims 1, 20, and 21 have been amended, and Applicant respectfully submits that the amendments overcome this rejection and add no new matter.

Amended Claim 1 is patentably distinguishable over the cited references for at least the reason that it recites, "wherein at least one of the plurality of grammars comprises a union of data from a plurality of user data sources." Amended Claims 20 and 21 each include a similar recitation. Support for these amendments can be found in the specification at least on page 10, lines 18-26.

In contrast, *Yamakita* at least does not disclose the aforementioned recitation. *Yamakita* merely discloses a communication environment using a mobile terminal, a speech recognition function as a user interface of the mobile terminal at a practical accuracy and cost and to enable generation/transmission of an E-mail or FAX document as formatted text data on the basis of the recognition result. (See *Yamakita*, column 2, lines 18-23.) *Yamakita* also discloses a formatted text generation section that determines a field of the recognized speech text data output from a text speech

recognition section using a format type data which is designated from a mobile terminal together with a text speech recognition/formatting start request command, and a format type field dictionary. (See *Yamakita*, column 5, lines 34-40.) Nowhere, however, does *Yamakita* disclose collecting user data to populate an input bias grammar. Rather, *Yamakita* merely discloses recognizing keywords recited in different languages.

Furthermore, *Szabo* does not overcome *Yamakita*'s deficiencies. *Szabo* merely discloses a human user-computer interface system providing a graphic representation of a hierarchy populated with naturally classified objects with distinct classification and a personal services infrastructure which unifies the visual environment through the use of stylized taxonomic trees and timelines ("maps"). (See *Szabo*, Abstract, column 17, lines 41-44.) *Szabo* also discloses using a user hierarchal schema having documents for providing similar or related information classified together, wherein this similarity or relatedness is not defined intrinsically in the query. (See *Szabo*, column 21, lines 38-45.) Like *Yamakita*, however, *Szabo* does not disclose collecting user data to populate an input bias grammar. Rather, *Szabo* merely discloses visual representations of hierarchical schemas.

Also, *Butler* does not overcome *Yamakita*'s and *Szabo*'s deficiencies. *Butler* merely discloses an interactive voice response (IVR) system with a plurality of speech technology modules and dynamically determining which of the plurality of speech technology modules are to be used during interaction between the system and a user. (See *Butler*, Abstract, column 1, lines 8-12.) Like *Yamakita* and *Szabo*, however, *Butler* nowhere discloses collecting user data to populate an input bias grammar. Rather, *Butler* merely discloses determining a speech module to use in an IVR system.

In turn, *Haley* does not overcome *Yamakita's*, *Szabo's*, and *Butler's* deficiencies. *Haley* merely discloses a display for prompting user data entry. (See *Haley*, Abstract.) In *Haley*, a binding table contains rows linking a data item with an input prompt. (See *Haley*, col. 6, lines 39-44.) Like *Yamakita*, *Szabo*, and *Butler*, however, *Haley* nowhere discloses collecting user data to populate an input bias grammar. Rather, *Haley* merely discloses prompting a user for input using a data table.

Combining *Yamakita*, *Szabo*, *Butler*, and *Haley* would not have led to the claimed invention because *Yamakita*, *Szabo*, *Butler*, and *Haley*, either individually or in combination, at least do not disclose " wherein at least one of the plurality of grammars comprises a union of data from a plurality of user data sources," as recited by amended Claim 1. Amended Claims 20 and 21 each includes a similar recitation. Accordingly, independent Claims 1, 20, and 21 each patentably distinguishes the present invention over the cited art, and Applicant respectfully requests withdrawal of this rejection of Claims 1, 20, and 21.

Dependent Claims 2-7, 9-10, 14-19 and 22-25 are also allowable at least for the reasons described above regarding independent Claims 1, 20, and 21, and by virtue of their respective dependencies upon independent Claims 1, 20, and 21. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 2-7, 9-10, 14-19 and 22-25.

IV. Rejection of Claims 4, 6, and 7 under 35 U.S.C. § 103(a)

In the Office Action, Dependent Claims 4, 6, and 7 were rejected as being unpatentable over *Yamakita*, *Szabo*, and *Butler* in view of *Haley* and further in view of U.S. Pub. Patent App. No. 2001/0041328 ("*Fisher*"). Applicants respectfully traverse this rejection.

The Examiner states that the combination of *Yamakita*, *Szabo*, and *Butler* lack explicitly disclosing "the input engine is an input method editor," "the input engine is a gesture-based input method," and "the input engine is a sign language recognition engine," as recited by Claims 4, 6, and 7, respectively. (See Office Action, page 20, lines 13-18.) The Examiner relies on *Fisher*, which was filed on May 11, 2000 and published on November 15, 2001. *Fisher* is a non-provisional application of U.S. Provisional Application No. 60/202,699, (the '699 provisional) filed on May 11, 2000 and may only claim priority to the provisional filing date for claims which are fully supported under the first paragraph of 35 U.S.C. § 112 by the provisional application. (See MPEP § 706.02(VI)(D).) Applicants respectfully submit that the subject matter of paragraphs [0036] and [0039]-[0041] in *Fisher*, as relied on by the Examiner, is not supported by the '699 provisional. Thus, Applicants respectfully submit that *Fisher* is not prior art and the Examiner's reliance on *Fisher* is rendered moot. Applicants therefore respectfully request withdrawal of this rejection of Claims 4, 6, and 7.

V. Conclusion

In view of the foregoing remarks, Applicant respectfully requests the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

Respectfully submitted,
MERCHANT & GOULD P.C.

P.O. Box 2903
Minneapolis, MN 55402-0903
404.954.5066

Date: October 14, 2008

By: /D. Kent Stier/
D. Kent Stier
Reg. No. 50,640

DKS:sm

